
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE N1058(B)
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PHONE (317) 232-3777
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January 11, 2008

Dear Taxpayer:

Last year, increases in property taxes around the state spurred a call-to-action at all levels of government to ensure a fair and equitable property tax system for all Hoosier taxpayers.

Property taxes are the primary source of funding for local governments. Thus, increases – or decreases – in property taxes are a result of total local spending and fiscal management.

Hoosier citizens have the right to object to local spending, including against capital projects. Currently, this is done through the petition and remonstrance process.

As this is a complicated process, the Department of Local Government Finance has developed this “Citizen’s Petition and Remonstrance Toolkit” to better assist Indiana residents to understand the objection process for local construction projects.

The Citizen’s Petition and Remonstrance Toolkit will provide answers to frequently asked questions (FAQs), a timeline for filing a petition and remonstrance, sample forms (including the instructions for filing the petition and remonstrance), and a link to the Indiana statutes concerning the process.

The DLGF is continually working to assist taxpayers in understanding local government taxation and holding local units of government accountable for responsible spending. The Citizen’s Petition and Remonstrance Toolkit is part of that effort by providing free and easy access to information so taxpayers can ensure their voice is heard.

Sincerely,

Cheryl A. W. Musgrave
Commissioner

STATE OF INDIANA

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Citizen's Petition and Remonstrance Toolkit

Created January 11, 2008

NOTICE OF DISCLAIMER

This publication is not a legal document. It does not replace the Indiana Code. Every effort has been made to ensure the accuracy of the information contained in this publication. However, this Guide should be used in conjunction with the Indiana statutes and advice from an attorney.

If any inconsistency exists between this publication and the statutes, the statutory language governs.

Some statements in this Guide are followed by a statutory cite, such as “IC 6-1.1-20-3.” The “IC” stands for Indiana Code and the numbers following “IC” refer to the title, article, chapter, and section of an Indiana statute (e.g. “IC 6-1.1-20-3” means Indiana Code title 6, article 1.1, chapter 20, section 3). The code may be found at www.in.gov/legislative/ic/code/.

Consult the Indiana Code to check for changes or updates to the statutes. Since laws may be changed each year, consult with your personal attorney to make certain you know and understand the most current version of the law.

The Indiana Department of Local Government Finance cannot provide legal advice. Remonstrators desiring the advice of an attorney must retain legal counsel at their own expense.

Petition and Remonstrance Process FAQ's

What is the petition and remonstrance process?

The petition and remonstrance is the process that allows for Hoosier taxpayers to object to a “controlled” project proposed by a local unit of government. Controlled projects are projects financed by bonds or a lease that exceed \$2 million, including the funds to cover the amount of bonds issued and interest rates that will be used to pay the total cost associated with the bonds. Examples include new school construction, new library construction, remodeling and renovations of public buildings (including schools, libraries and local government offices), and beautification projects. A project that the government expects to pay for using funds other than property taxes that are exempt from the levy limitations is not a controlled project.

For the complete law related to the petition remonstrance process, please see IC 6-1.1-20:
(<http://www.in.gov/legislative/ic/code/title6/ar1.1/ch20.html>)

How does it work?

Once a government publishes notice of its preliminary determination to issue bonds or enter into a lease for a controlled project, property owners and registered voters within the political subdivision may make application for the full petition and remonstrance process. This is commonly referred to as “Phase I” of the process. If the application is successful and the government publishes notice of its intent to continue with the controlled project, “Phase II” of the process begins.

In Phase II, property owners and registered voters favoring the project and opposing the project collect signatures in support of their position. The side with the most signatures at the end of the signature-collection period wins.

Who should file a petition and initiate the remonstrance process?

Owners of real property or registered voters in a governmental unit opposed to a “controlled” project proposed by a local unit of government. Controlled projects are projects financed by bonds or a lease that exceed \$2 million, including the funds to cover the amount of bonds issued and interest rates that will be used to pay the total cost associated with the bonds. Examples include new school construction, new library construction, remodeling and renovations of public buildings (including schools, libraries and local government offices), roadway construction, and beautification projects.

Projects are outside of the petition-process if:

1. The debt service on the financing is planned to be paid for with revenues other than property taxes. (This is most common with municipal utilities, tax increment financing, county option income tax financing or economic development income tax financing).
2. The project to be financed is less than \$2 million.
3. The debt issue is a refinancing for savings.
4. The project is required by a court order or federal mandate.

Where would a person start if he/she is interested in beginning the remonstrance process?

Property taxpayers and/or registered voters in a community would initiate the remonstrance process by filing a petition with their county voter registration office. The petition must be filed within 30 days after the local unit of government publishes a notice in the newspaper, in accordance with state law. Only owners of real property or registered voters in that governmental taxing unit may sign the petition for or remonstrate against the project.

How many signatures are needed to initiate the process?

To initiate the full petition-remonstrance process in Phase II, the opposition must have the lesser of (1) 100 signatures of persons who are either registered voters or owners of real property or (2) five percent of the registered voters in the district of the local unit of government. Only owners of real property or registered voters in that governmental taxing unit may sign the petition in Phase I and the petition or remonstrance forms in Phase II of the process.

Who can sign the petition?

Only owners of real property or registered voters in that governmental taxing unit may sign the petition for or remonstrate against the project. The petition documents become a public record upon filing.

Once the petition has been filed, what happens?

Once the Phase I petition has been filed in the voter registration office, the voter registration office verifies the signatures of registered voters and the county auditor verifies the signatures are of real property owners in the affected taxing district. After verification of all signatures on the petition, the county voter registration officer certifies the results to the governing body (i.e. school board, city or county council, etc.) of taxing unit proposing the project. If enough signatures are collected, this first petition only initiates the process that may prevent the local unit of government from moving forward with the project. The government taxing unit may choose to discontinue the project or continue with Phase II of the petition and remonstrance project.

The petition documents become a public record upon filing.

How long does the voter registration office have to verify the signatures?

The voter registration office can take up to 15 business days to confirm if those signing the petition are registered voters. From there, the county auditor has up to 10 business days to verify that the remaining signatures are of real property owners living within the affected district. The voter registration officer has an additional 10 days to finalize the results and certify to the government. The timing of the signature verification may be extended if the petition is filed within 35 days of an election. The statute provides additional time for signature verification in phase II if more than 10,000 signatures are collected.

Only owners of real property or registered voters in that governmental taxing unit may sign the petition for or remonstrate against the project.

After the signatures have been verified, what happens?

Once the county voter registration officer certifies the results to the local unit of government, they may decide to alter the scope of the project, abandon the plans completely or decide to move forward with the project. If they wish to move forward, they must publish a notice of the petition and remonstrance process. Following that notice, there is a 30-day “cooling off” period, during which no action occurs. After the “cooling off” period, both sides may begin to collect signatures on the respective petition or remonstrance forms.

How long does each group have to collect signatures after the signature race begins?

Each side has 30 days to collect as many signatures as possible. Note that only owners of real property or registered voters in that governmental taxing unit may sign the petition for or remonstrate against the project.

Where can I get the petition/remonstrance forms?

The petition and remonstrance forms are available from the county voter registration office. You can find your voter registration office by visiting the Indiana Statewide Voter Registration System at <http://indianavoters.com/PublicSite/Public/FT1/PublicContactLookup.aspx> or by calling your county clerk's office.

What forms do I need for a remonstrance?

Your local voter registration office will provide you with the necessary forms needed. All forms used during the remonstrance process are listed below and sample forms are provided.

Phase I forms:

- Petition Requesting the Application of a Petition and Remonstrance Process (County Form No. 201K)
- Instruction Relative to Circulation of Petition Requesting the Application of a Petition and Remonstrance Process (County Form No. 201L)
- Auditor's Verification Statement (County Form No. 201M)
- Voter Registration Office Certificate (County Form No. 201N)

Phase II forms:

- Taxpayer Petition In favor Of (County Form No. 201)
- Taxpayer Counterpart In Favor Of (County Form No. 201A)
- Verifying Affidavit (In Favor Of) (County Form No. 201B)
- Verified Request to Remove Signature (County Form No. 201C)
- Log of Counterparts (In Favor Of) (County Form No. 201D)
- Taxpayer Remonstrance in Opposition (County Form No. 201E)
- Taxpayer Counterpart in Opposition (County Form No. 201F)
- Verifying Affidavit (In Opposition) (County Form No. 201G)
- Log of Counterparts (In Opposition) (County Form No. 201H)
- Instructions Relative to Circulation (County Form No. 201I)
- Auditor's Verification Statement (County Form No. 201J)
- Voter Registration Office Certificate (County Form No. 201O)

Where is my county voter registration office?

You can find your voter registration office by visiting the Indiana Statewide Voter Registration System at <http://indianavoters.com/PublicSite/Public/FT1/PublicContactLookup.aspx>.

Who can carry a petition or remonstrance form and what are their responsibilities?

Each person carrying a petition or remonstrance must either be a real property owner or a registered voter in the affected governmental taxing unit.

Additionally, each person carrying a petition or remonstrance must:

- indicate whether they are a real property owner or a registered voter and the address of the real property owned or a registered voter and the address where they are registered to vote.
- sign the petition or remonstrance form (but not every counterpart).
- sign and swear before a notary that they personally witnessed every signature on the petition or remonstrance that they carried.

Can individuals take turns carrying the same petition or remonstrance form?

No. Each person carrying a petition or remonstrance form must carry a separate form (counterpart). Each person carrying a petition or remonstrance form must sign and swear before a notary that they personally witnessed every signature on the petition or remonstrance that they carried.

Can the initial petition used to start the process be reused during Phase II of the petition and remonstrance process?

No. If individuals who signed the initial petition to begin the petition/remonstrance process would like to participate in Phase II, they must sign a petition or remonstrance form during the 30-day Phase II signature collection period.

How is it determined who wins the petition/remonstrance process?

Again, the voter registration office can take up to 15 business days to confirm if those signing the petition and remonstrance are registered voters. From there, the county auditor has up to 10 business days to verify the signatures of qualified real property owners. The voter registration officer has an additional 10 days to finalize the results and certify to the government. The timing of the signature verification may be extended if the petition is filed within 35 days of an election. Indiana law provides additional time for signature verification in Phase II if more than 10,000 signatures are collected. The results are then certified to the government to continue with the project or defeat the project. The side with the most signatures wins.

Only owners of real property or registered voters in that governmental unit may sign the petition for or remonstrate against the project.

What if the remonstrance is successful?

If the remonstrance is successful, the governmental unit may not continue with the project for at least one year.

What if the remonstrance is not successful?

If the remonstrance is not successful, the governmental unit may continue with the appropriate process to issue debt for the project. Once the petition and remonstrance process is complete, the unit of government must still file with the Department of Local Government Finance for approval to issue debt.

If the remonstrance is not successful, what can I do to stop a project?

Taxpayers may appeal the result of the petition/remonstrance process by taking their claim to the Indiana Tax Court. Additionally, taxpayers can write to the Property Tax Control Board to state their opposition for a project. More information on the Property Tax Control Boards is available at www.in.gov/dlgf/boards/.

What if I think the petition and remonstrance process was not handled correctly?

Taxpayers who believe the petition and remonstrance process was not handled appropriately have the option of appealing by taking their claim to the Indiana Tax Court.

What if I missed the deadline to file a petition to initiate a petition/remonstrance?

Unfortunately, if an initial petition is not filed within 30 days of the public notice, a taxpayer cannot initiate a petition/remonstrance. In these cases, taxpayers can write to the Property Tax Control Board to state their opposition for a project. More information on the Property Tax Control Boards is available at www.in.gov/dlgf/boards/.

Citizen Input on Property Tax Debt

Annual Budget Process		Petition/Remonstrance Process		Objecting Petition Process	
<p align="center">Notice (Advertisement) by Local Taxing Unit</p>					
<p>Each Taxing Unit must advertise a 10 day notice of the date and time of a public hearing on the annual budget, which includes any property tax levy to pay debt service. IC 6-1.1-17-3</p>		<p>Each Taxing Unit wishing to issue property tax supported debt or leases must advertise the intent to issue debt. IC 6-1.1-17-3</p>		<p>Each Taxing Unit wishing to issue property tax supported debt or leases must advertise the intent to issue debt. IC 6-1.1-17-3</p>	
<p align="center">Direct Citizen Input</p>					
<p>At the annual budget hearing citizens may be heard on all matters regarding the budget, including debt service. Citizens may wish to question what portion of the debt service amount will be paid from property taxes versus other revenues available to the unit. IC 6-1.1-29.5-8 & IC 6-1.1-17-3</p>		<p>CITIZEN ACTION MUST OCCUR WITHIN 30 DAYS</p> <p>At the Public Hearing, citizens have the right to be heard regarding the project and financing. In addition, citizens may initiate the Petition/Remonstrance Process through an initial petition process within 30 days. This process applies only to Controlled Projects. A project is not controlled if one of the following conditions are met:</p> <ol style="list-style-type: none"> 1. If the debt service on the financing is planned to be paid for with revenues other than property taxes (this is most common with municipal utilities, tax increment financing, county option income tax financing or economic development income tax financing). 2. If the project to be financed is less than \$2 million. 3. If the debt issue is a refinancing for savings. 4. If the project is required by a court order or federal mandate. 		<p>CITIZEN ACTION MUST OCCUR WITHIN 15 DAYS</p> <p>Ten (10) or more local taxpayers may file a petition to object to the issuance of the debt with the county auditor. The objecting petition must be filed within 15 days of the publication of intent to issue bonds. The petition must state why the project is unnecessary or excessive. The DLGF will hold a public hearing in the county on the project. This public hearing is advertised and the DLGF will mail notice to the first 10 taxpayers listed on the petition.</p> <p>Note: This process is separate from the petition/remonstrance process.</p>	
<p align="center">Initial Petition Process</p> <p>100 owners of real property or registered voters (or 5% of voters if less) in that governmental unit may petition against the issuance of the debt. Note that this first petition process merely begins the petition/remonstrance process, it cannot stop a project. If the first step is passed, the local unit may abandon the project or it may advertise that the project is subject to the petition/remonstrance process. If the project is advertised as subject to the petition/remonstrance process, citizens may petition for or remonstrate against the proposed project. IC 6-1.1-20-3.1</p>					
<p align="center">Petition/Remonstrance Process</p> <p>Only owners of real property or registered voters in that governmental unit may petition for or remonstrate against the issuance of the debt. If more valid signatures remonstrating than valid signatures petitioning are verified by the county auditor (for real property owners) or by the county voter registration office (for registered voters), are received within 60 days of the date of the petition/remonstrance publication, the project is stopped for at least one year. If more valid petition signatures are received than remonstrance signatures, the debt issuance is able to go forward. IC 6-1.1-20-3.2</p> <p align="center">CITIZEN ACTION MUST OCCUR WITHIN 60 DAYS</p>					
<p>The requirements of both the initial petition and the petition/remonstrance process are specific, as identified below, and must be strictly followed. The petition and remonstrance forms are available from the county voter registration office. If you do not know where the county voter registration office is, contact the county clerk's office.</p> <ul style="list-style-type: none"> • Each person carrying a petition or remonstrance must either be a real property owner or a registered voter. • Each person carrying a petition or remonstrance must sign a copy of a petition or remonstrance (but not every copy). • Each person carrying a petition or remonstrance must sign and swear before a notary that they personally witnessed every signature on the petition or remonstrance that they carried. In other words, persons carrying a petition or remonstrance may not take turns gathering signatures on the same petition or remonstrance form. • Each person signing the petition or remonstrance must indicate whether they are a real property owner or a registered voter and the address where they pay real property taxes or are registered to vote. <p>The initial petitions cannot be reused in the final petition/remonstrance process. IC 6-1.1-20-3.2</p>					

[TO BE PRINTED ON YELLOW PAPER]

COUNTERPART NO. _____

IN FAVOR OF

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐ ☐

1. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

☐ ☐

2. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

☐ ☐

3. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

☐ ☐

4. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

☐ ☐

5. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

[TO BE PRINTED ON YELLOW PAPER]

COUNTERPART NO. _____

VERIFYING AFFIDAVIT

PETITION IN FAVOR OF

[Insert Project Description]

STATE OF INDIANA)
COUNTY OF _____) SS:

_____, being first duly sworn upon his/her oath deposes and says that he/she is an owner of real estate located in or a registered voter in _____ [Insert Name of Taxing Unit], one of the signers (on Counterpart No. _____, line _____) addressed to the _____ [Insert Governing Board of Taxing Unit] _____ County, Indiana, in favor of and petitioning **FOR** the proposal for the _____ [Insert Project Description] _____; and that all signatures appearing on the attached Petition were affixed in his/her presence on the date indicated for each signature, and to the best of his/her knowledge are the true and lawful signatures of the persons signing the Petition.

Signature

Printed Name

STATE OF INDIANA)
COUNTY OF _____) SS:

Subscribed and sworn to before me, a Notary Public in and for said county and State, this _____ day of _____, _____.

[Seal]

Notary Public

Printed: _____

My Commission Expires: _____

County of Residence: _____

VERIFIED REQUEST TO REMOVE PETITION OR REMONSTRANCE SIGNATURE

The undersigned, an owner of real property or a registered voter in the taxing unit of _____ [Insert Name] _____, who being duly sworn by the undersigned Notary Public, requests that the _____ [Insert Name of County] _____ County Voter Registration Office remove the undersigned's name from the

PETITION/REMONSTRANCE

(circle one)

signed (for) (against) the proposed _____ [Insert Project Description] _____, which was signed before the date of this request.

Signature_____
Printed Name_____
Address of real property or registered voter

STATE OF INDIANA)

COUNTY OF _____)

SS:

Subscribed and sworn to before me, a Notary Public in and for said county and State, this _____ day of _____

[Seal]

Notary Public

Printed: _____

My Commission Expires: _____

County of Residence: _____

**LOG OF COUNTERPARTS OF
PETITION IN FAVOR OF**

[Insert Project Description]

[Insert Name of Issuer]

Petition Deadline _____

Counterpart No.	Date Issued	Date Returned	Number of Signatures	Number of Verified Registered Voters	Number of Verified Owners	Number Not Counted
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

Totals _____

[TO BE PRINTED ON BLUE PAPER]

TO BE COMPLETED BY VOTER REGISTRATION OFFICE
Counterpart Number: _____
Date Issued: _____
Date Returned: _____
Number of Registered Voters: _____
Number of Owners: _____
Number Not Counted: _____
Total Signatures: _____

REMONSTRANCE IN OPPOSITION TO

[Insert Project Description]

TO: _____ [Insert Governing Board of Taxing Unit]

We the undersigned owners of real property and/or registered voters in _____ [Taxing Unit]
_____, _____ County, Indiana, are opposed to and hereby remonstrate **AGAINST** the
following proposals to (lease) (issue bonds) for a term of _____ years and a maximum (annual rental) (debt service)
of \$ _____:

[Insert Project Description]

This remonstrance may be circulated in several counterparts, and all of said counterparts are to be considered as constituting one remonstrance.

For use by _____ County Voter Registration Office Only

This Remonstrance against _____ [Insert Project Description]
_____ is hereby certified to have been issued by the _____ [Insert name of
County] _____ County Voter Registration Office on _____ [Insert Date] _____.

(Signature)

(Title)

By: _____

[TO BE PRINTED ON BLUE PAPER]

COUNTERPART NO. _____

IN OPPOSITION TO

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

1. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

2. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

3. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

4. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

5. Signature:

Printed Address:

Printed:

Date Signed:

Township:

[TO BE PRINTED ON BLUE PAPER]

COUNTERPART NO. _____

VERIFYING AFFIDAVIT

REMONSTRANCE IN OPPOSITION TO

 [Insert Project Description]

STATE OF INDIANA)
) SS:
 COUNTY OF _____)

_____, being first duly sworn upon his/her oath deposes
 and says that he/she is an owner of real estate located in or a registered voter in _____ [Insert Name of
 Taxing Unit] _____, one of the signers (on Counterpart No. _____, line _____) addressed to
 the _____ [Insert Governing Board of Taxing Unit]
 _____ County, Indiana, opposed to and remonstrating
AGAINST the proposal for the _____ [Insert Project Description] _____; and that all
 signatures appearing on the attached Remonstrance were affixed in his/her presence on the date indicated for each
 signature, and to the best of his/her knowledge are the true and lawful signatures of the persons signing the
 Remonstrance.

 Signature

 Printed Name

STATE OF INDIANA)
) SS:
 COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public in and for said county and State, this _____ day of _____

[Seal]

 Notary Public

Printed: _____

My Commission Expires: _____

County of Residence: _____

**LOG OF COUNTERPARTS OF
REMONSTRANCE AGAINST**

[Insert Project Description]

[Insert Name of Issuer]

Remonstrance Deadline _____

Counterpart No.	Date Issued	Date Returned	Number of Signatures	Number of Verified Registered Voters	Number of Verified Owners	Number Not Counted
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

Totals _____

[TO BE PRINTED ON WHITE PAPER - ATTACH TO EACH PETITION/REMONSTRANCE COUNTERPARTS]

**INSTRUCTIONS
RELATIVE TO CIRCULATION
OF PETITION FOR AND REMONSTRANCE AGAINST**

[Insert Project Description]

1. The person who circulates a petition or remonstrance form for the purpose of obtaining signatures must be an owner of real estate located in or a registered voter in the _____ [Insert Name of Taxing Unit] _____ County, Indiana.
2. The person who circulates each petition or remonstrance form must sign the verifying affidavit at the end of that form and must sign a petition or remonstrance form, whichever is applicable. The best practice is for that person to sign the petition or remonstrance form on the first line. **IT IS ESSENTIAL THAT THE VERIFYING AFFIDAVIT BE COMPLETED AND SIGNED AFTER SIGNATURES HAVE BEEN OBTAINED, BEFORE A NOTARY PUBLIC AND THAT THE NOTARY PUBLIC BLOCK ALSO BE COMPLETED BEFORE THE PETITION OR REMONSTRANCE FORM IS FILED WITH THE** _____ [Insert Name of County] _____ **COUNTY VOTER REGISTRATION OFFICE.**
3. One person can pick up multiple petitions or remonstrances from the voter registration office. However, each counterpart may be circulated by only one person and therefore cannot be passed around from one person to another for circulation.
4. The signatures on each petition and remonstrance form must be made in the presence of the person who circulates the form and signs the verifying affidavit.
5. Qualified signers are owners of real estate located in and registered voters in _____ [Insert Name of Taxing Unit] _____, _____ County, Indiana, as shown by the voter registration records or the real property tax records in the County. Persons purchasing real estate on contract, heirs in estates in which the real estate has not been distributed, and other persons whose ownership is not of record in the Auditor's office are not qualified to sign as property owners. To qualify to sign as a registered voter, the individual must be registered to vote within the political subdivision by the date that is 30 days after publication of notice of the applicability of the petition and remonstrance process.
6. One person cannot sign for another. A husband and wife owning real estate jointly are each qualified signers, and it is not necessary for each to sign in order for the other to constitute a valid signer; however, each must sign separately if the signatures are to be counted as two separate signatures. In such cases, the wife should not sign as "Mrs. Joe Jones," but should sign her own name, thus "Mary Jones."
7. All names should be written and printed neatly, and as they appear on the voter registration or tax records in the County as nearly as possible.
8. Each signature must be dated the date it is applied to the petition or remonstrance.
9. Additional signatures or signature pages may not be added to the petition and remonstrance forms issued by the voter registration office.
10. After a carrier has finished circulating a counterpart and before submitting it to the county voter registration office, the carrier must swear or affirm before a notary public that the carrier witnessed each signature and is executing the verifying affidavit.

11. The completed petition or remonstrance forms including the verifying affidavit must be submitted to the voter registration office.

12. No petition or remonstrance form will be accepted by the voter registration office after _____ p.m. on _____.

13. If a petition and remonstrance process is commenced under IC 6-1.1-20-3.2 during the sixty (60) day period commencing with the notice under IC 6-1.1-20-3.2(1), the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project may not promote a position on the petition or remonstrance by doing any of the following:

1. Allowing facilities or equipment, including mail and messaging systems, owned by the political subdivision to be used for public relations purposes to promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

2. Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance (except as necessary to explain the project to the public) or to pay for the gathering of signatures on a petition or remonstrance. This does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

3. Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime.

4. In the case of a school corporation, promoting a position on a petition or remonstrance by:

- (A) using students to transport written materials to their residences; or
- (B) including a statement within another communication sent to the students' residences.

However, this does not prohibit an employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the employee's office or agency.

5. A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

AUDITOR'S VERIFICATION STATEMENT

I, _____, the duly elected, qualified and acting Auditor of [Insert Name of County] County, Indiana, hereby certify that I have examined the _____ counterparts of the petition in favor of and the _____ counterparts of the remonstrance against the proposed:

[Insert Description of Project]

Proposed to be constructed by [Insert Name of Issuer]

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petition/remonstrance with the tax records in my office; that all persons signing verifying affidavits that indicate the person is an owner of real property in the [Insert Name of Taxing Unit] are owners of real estate located in said taxing unit, and that said petition/remonstrance was signed as follows:

Petitioners

Signing as Real Property
Owners:

_____ real property owners
_____ non real property owners
_____ total signatures

Petitioners

Signing as Registered
Voters that were not:

_____ real property owners
_____ non real property owners
_____ total signatures

Remonstrators

Signing as Real Property
Owners:

_____ real property owners
_____ non real property owners
_____ total signatures

Remonstrators

Signing as Registered
Voters that were not:

_____ real property owners
_____ non real property owners
_____ total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of _____ on this _____ day of _____.

County Auditor

[TO BE PRINTED ON WHITE PAPER]

PAGE 1 OF 7

**PETITION REQUESTING THE APPLICATION OF A
PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

TO: [Insert Governing Board of Taxing Unit]

We the undersigned owners of real property and/or registered voters in [Taxing Unit]
[Taxing Unit], County, Indiana, hereby petition requesting the application of a petition
and remonstrance process for the following proposals to (lease) (issue bonds) for a term of _____ years and a
maximum (annual rental) (debt service) of \$ _____:

[Insert Project Description]

This petition may be circulated in several counterparts, and all of said counterparts are to be considered as
constituting one petition.

[TO BE PRINTED ON WHITE PAPER]

PAGE 2 OF 7

COUNTERPART NO. _____

**PETITION REQUESTING THE APPLICATION OF A
PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

1. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

2. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

3. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

4. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

5. Signature:

Printed Address:

Printed:

Date Signed:

Township:

SAMPLE

[Do not write on back]

[TO BE PRINTED ON WHITE PAPER]

PAGE 3 OF 7.

COUNTERPART NO. _____

PETITION REQUESTING THE APPLICATION OF A PETITION AND REMONSTRANCE PROCESS

[Insert Project Description]

Check one
box only

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

6. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

7. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

8. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

9. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

10. Signature:

Printed Address:

Printed:

Date Signed:

Township:

SAMPLE

[Do not write on back]

[TO BE PRINTED ON WHITE PAPER]

PAGE 4 OF 7

COUNTERPART NO. _____

**PETITION REQUESTING THE APPLICATION OF A
PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

11. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

12. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

13. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

14. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

15. Signature:

Printed Address:

Printed:

Date Signed:

Township:

SAMPLE

[Do not write on back]

[TO BE PRINTED ON WHITE PAPER]

PAGE 5 OF 7

COUNTERPART NO. _____

**PETITION REQUESTING THE APPLICATION OF A
PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

16. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

17. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

18. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

19. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

20. Signature:

Printed Address:

Printed:

Date Signed:

Township:

SAMPLE

[Do not write on back]

[TO BE PRINTED ON WHITE PAPER]

PAGE 6 OF 7

COUNTERPART NO. _____

**PETITION REQUESTING THE APPLICATION OF A
PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

**Check one
box only**

Real Property Owner

Registered Voter

One Property Owner or Registered Voter Per Number

Name

Address of Real Property or Registered Voter

☐
☐

21. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

22. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

23. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

24. Signature:

Printed Address:

Printed:

Date Signed:

Township:

☐
☐

25. Signature:

Printed Address:

Printed:

Date Signed:

Township:

SAMPLE

[Do not write on back]

[TO BE PRINTED ON WHITE PAPER]

PAGE 7 OF 7

COUNTERPART NO. _____

VERIFYING AFFIDAVIT

PETITION REQUESTING THE APPLICATION OF A PETITION AND REMONSTRANCE PROCESS

[Insert Project Description]

STATE OF INDIANA)

COUNTY OF _____)

SS:

_____, being first duly sworn upon his/her oath deposes
and says that he/she is an owner of real estate located in or a registered voter in _____
[Insert Name of Taxing Unit], one of the signers (on Counterpart No. _____, line _____) addressed to the
[Insert _____ Governing Board of _____ Taxing Unit]
_____ County, Indiana, requesting the application of a petition and remonstrance
process for the proposal of _____ [Insert Project Description]; and that all
signatures appearing on the attached Petition were affixed in his/her presence on the date indicated for each
signature, and to the best of his/her knowledge are the true and lawful signatures of the persons signing the Petition.

Signature

Printed Name

STATE OF INDIANA)

COUNTY OF _____)

SS:

Subscribed and sworn to before me, a Notary Public in and for said county and State, this _____ day of _____, _____.

[Seal]

Notary Public

Printed: _____

My Commission Expires: _____

County of Residence: _____

[TO BE PRINTED ON WHITE PAPER – ATTACH TO EACH PETITION REQUESTING THE APPLICATION OF A PETITION AND REMONSTRANCE PROCESS COUNTERPART]

**INSTRUCTIONS
RELATIVE TO CIRCULATION OF PETITION REQUESTING THE APPLICATION OF
A PETITION AND REMONSTRANCE PROCESS**

[Insert Project Description]

1. The person who circulates a petition form requesting the application of a petition and remonstrance process form for the purpose of obtaining signatures must be an owner of real estate located in or a registered voter in _____ [Insert Name of Taxing Unit] _____, County, Indiana.
2. The person who circulates each petition requesting the application of a petition and remonstrance process form must sign the verifying affidavit at the end of that form and must sign a petition requesting the application of a petition and remonstrance process form. The best practice is for the carrier to sign the petition requesting the application of a petition and remonstrance process form on the first line. It is essential that the verifying affidavit be completed and signed after signatures have been obtained, before a notary public and that the notary public block also be completed before the petition requesting the application of a petition and remonstrance process form is filed with the _____ [Insert Name of County] _____ County Voter Registration Office.
3. One person can pick up multiple petitions requesting the application of a petition and remonstrance process forms from the voter registration office. However, each counterpart may be circulated by only one person and therefore cannot be passed around from one person to another for circulation.
4. The signatures on each petition requesting the application of a petition and remonstrance process form must be made in the presence of the person who circulates the form and signs the verifying affidavit.
5. Qualified signers are owners of real estate located in and registered voters in _____ [Insert Name of Taxing Unit] _____, _____ County, Indiana, as shown by the voter registration records or the real property tax records in the County Auditor's office.
6. One person cannot sign for another. A husband and wife owning real estate jointly are each qualified signers, and it is not necessary for each to sign in order for the other to constitute a valid signer; however, each must sign separately if the signatures are to be counted as two separate signatures.

An individual signing as a registered voter must have been a registered voter in _____ [Insert Name of Taxing Unit] _____, _____ County on the date the notice of preliminary determination was published.
7. All names should be written and printed neatly, and as they appear on the voter registration records or tax records in the County as nearly as possible.
8. Each signature must be dated the date it is applied to the petition requesting the application of a petition and remonstrance process form.

9. Additional signatures or signature pages may not be added to the petition requesting the application of a petition and remonstrance process form.
10. After a carrier has finished circulating a counterpart and before submitting it to the voter registration office, the carrier must swear or affirm before a notary public that the carrier witnessed each signature and is executing the verifying affidavit.
11. The completed petition requesting the application of a petition and remonstrance process form including the verifying affidavit must be submitted to the voter registration office.
12. No petition requesting the application of a petition and remonstrance process form will be accepted by the voter registration office after _____ p.m. on _____.

SAMPLE

AUDITOR'S VERIFICATION STATEMENT

I, _____, the duly elected, qualified and acting Auditor of _____ [Insert Name of County] County, Indiana, hereby certify that I have examined the _____ counterparts of the petition requesting the application of the petition and remonstrance process on the proposed:

[Insert Description of Project]

Proposed to be constructed by _____ [Insert Name of Issuer]

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitions with the tax records in my office; that all persons signing verifying affidavits that indicate the person is an owner of real property in the _____ [Insert Name of Taxing Unit] are owners of real estate located in said taxing unit, and that said petition was signed as follows:

Petitioners _____ real property owners
Signing as Real Property Owners: _____ non real property owners
_____ total signatures

Petitioners _____ real property owners
Signing as Registered Voters that were not: _____ non real property owners
_____ total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of _____ on this _____ day of _____.

County Auditor

VOTER REGISTRATION OFFICE CERTIFICATE

I, _____, as _____ [Insert Title] acting on behalf of the county voter registration office of _____ [Insert Name of County] County, Indiana, (as defined in IC 6-1.1-20-1.8) hereby certify that I have examined the _____ counterparts of the petition requesting the application of the petition and remonstrance process on the proposed:

_____ [Insert Description of Project]

Proposed to be constructed by _____ [Insert Name of Issuer]

I further certify that the signatures on the various counterparts of said petition have been checked with the voter registration records and that the County Auditor has verified the necessary signatures with tax records in that office; that all of the counterparts of said petition are verified by the affidavits of owners of real estate located within or registered voters in the _____ [Insert Name of Taxing Unit], and that said petition was signed as follows:

Petitioners:

_____ real property owners

_____ registered voters

_____ Total Qualified Petitioners

_____ non real property owners

_____ non registered voters

_____ total signatures received

IN WITNESS THEREOF, I have hereunto set my hand and the official seal on this _____ day of _____

Signature

VOTER REGISTRATION OFFICE CERTIFICATE

I, _____, as _____ [Insert Title] acting on behalf of the county voter registration office of _____ [Insert Name of County] County, Indiana, (as defined in IC 6-1.1-20-1.8) hereby certify that I have examined the _____ counterparts of the petition in favor of and the _____ counterparts of the remonstrance against the proposed:

[Insert Description of Project]

Proposed to be constructed by _____ [Insert Name of Issuer]

I further certify that the signatures on the various counterparts of said petition/remonstrance have been checked with the voter registration records and that the County Auditor has verified the necessary signatures with tax records in that office; that all of the counterparts of said petition/remonstrance are verified by the affidavits of owners of real estate located within or registered voters in the _____ [Insert Name of Taxing Unit], and that said petition/remonstrance was signed as follows:

Petitioners:

_____ real property owners
 _____ registered voters
 _____ **Total Qualified Petitioners**
 _____ non real property owners
 _____ non registered voters
 _____ total petition signatures

Remonstrators:

_____ real property owners
 _____ registered voters
 _____ **Total Qualified Remonstrators**
 _____ non real property owners
 _____ non registered voters
 _____ total remonstrators signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal on this _____ day of _____

Signature _____

Title _____